

Cause No. 58486-171

The State of Texas
 Vs.
 David Leonard Wood

In The 171st District Court
 El Paso County Texas

**JUDGMENT ON JURY VERDICT OF GUILTY
 PUNISHMENT FIXED BY JURY**

Judge Presiding Peter S. Peca Jr.Date of Judgment November 30, 1992

Attorney
 for State D. Morgan/K. Shook

Attorney
 for Defendant D. Quijano/N. Garney

Offense

Convicted of Capital Murder (TPC 19.03)

Date
 of Offense 6-2-87 to 8-28-87

Charging
 Instrument Indictment

Plea Not Guilty To The JuryJury Verdict Guilty

Jury
 Foreman Gardner E. Michel

Punishment
 Assessed The Jury

Date Sentenced
 Imposed November 30, 1992

Date
 To Commence _____

Time Credited -0-Costs -0-Punishment Death

Total Amount Of
 Restitution/Reparation -0-

This cause was originally indicted in El Paso County, Texas under cause number 58486-171; whereupon the Defendant, David Leonard Wood, and his counsel having requested Change of Venue, pursuant to Article 31.03 of the Code of Criminal Procedure the Court granted the Change of Venue and the case was transferred to the Criminal District Court Number 5 in Dallas County under cause number F-92-19891-L and was then called for trial and the State appeared by her District Attorney, and the said Defendant, David Leonard Wood, appeared in person, his counsel also being present, and both parties announced ready for trial, the Defendant, David Leonard Wood, having duly been arraigned and having pleaded "Not Guilty" to the charge contained in the Indictment herein; thereupon a Jury, to-wit: Gardner E. Michel and eleven others, was duly selected, impanelled and sworn, who having heard the indictment read, and the Defendant, David Leonard Wood, plea of Not Guilty thereto, and having heard the evidence submitted, and having been duly charged by the Court, retired in charge of proper officer, to consider their verdict.

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Afterwards, the jury was brought back into Open Court by the proper officer, the Defendant, David Leonard Wood, and his counsel being present, and in proper due form of and is now upon the Minutes of the Court, to-wit:

THE STATE OF TEXAS
VS.
DAVID LEONARD WOOD

CAUSE NO. F-92-19891-L

We, the jury, in the above intitled and numbered cause find the Defendant, David Leonard Wood, guilty of the offense of capital murder, as alleged in the indictment.

/s/ Gardner E. Michel
Presiding Juror

Whereupon the Defendant, David Leonard Wood, having requested that the punishment be assessed by the same Jury, who, having heard the evidence offered with regard to punishment, and afterwards were brought into Open Court by the proper officer, the Defendant, David Leonard Wood, and his counsel being present, and in due form of law returned into Open Court the following verdict, which was received by the Court and is here now entered upon the Minutes of the Court, to-wit:

SPECIAL ISSUE #1

Do you find from the evidence beyond a reasonable doubt that the conduct of the defendant, DAVID LEONARD WOOD, that caused the death of IVY WILLIAMS was committed deliberately and with the reasonable expectation that the death of IVY WILLIAMS or another would result? ANSWER: Yes.

SPECIAL ISSUE #2

Do you find from the evidence beyond a reasonable doubt that there is a probability that the Defendant, David Leonard Wood, would commit criminal acts of violence that would constitute a continuing threat to society? ANSWER: Yes.

SPECIAL ISSUE #3

Do you find, taking into consideration all of the evidence, including the circumstances of the offense, the defendant's character and background, and the personal moral culpability of the defendant, that there is a mitigating circumstance or circumstances sufficient to warrant that a sentence of life imprisonment rather than a death sentence be imposed? ANSWER: No.

/S/ Gardner E. Michel
Presiding Juror

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DAVID LEONARD WOOD

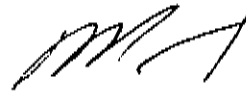
Cause No. 58486-171

Whereupon the Jury was discharged and, in Open Court, with the consent of the State and Counsel for Defendant, and the Defendant, the Court transferred this cause back to El Paso County pursuant to Article 31.08 of the Texas Code of Criminal Procedure, where it was refiled on cause number 58486-171 in the 171st District Court of El Paso County.

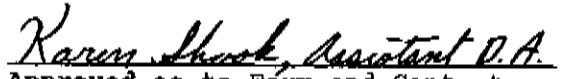
IT IS THEREFORE CONSIDERED AND ADJUDGED BY THE COURT: That the said Defendant, David Leonard Wood, guilty of the offense of Capital Murder as found by the Jury, and the jury having further answered that the conduct of the defendant that caused the death of the deceased was committed deliberately and with reasonable expectation that the death of the deceased or another would result, and that there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society; and the jury further found that there were no mitigating circumstances sufficient to warrant a life rather than a death sentence; and the law providing that on such jury findings the Court shall assess the death penalty to the defendant.

It is, therefore, the Order of the Court that the defendant be punished by having the death penalty assessed against him, and he is remanded to the custody of the Sheriff pending further orders herein.

ENTERED this 30TH day of NOVEMBER, 1992.



Peter S. Peca Jr., Judge Presiding



Karen Shook, Assistant D.A.
Approved as to Form and Content

The State of Texas
Vs.
David Leonard Wood

In The 171st District Court
El Paso County Texas

SENTENCE

This day, this cause being again called, the State appeared by her Assistant District Attorney and the Defendant was brought into Open Court in person, in charge of the Sheriff, for the purpose of having the sentence of the law pronounced in accordance with the verdict therein rendered and entered in the Criminal District Court Number 5 of Dallas County, Texas under cause number F-92-19891-L which pursuant to Article 31.08 of the Code of Criminal Procedure, was then transferred back to the original County to where the indictment in this cause was presented, and said verdict and judgment entered under cause number 58486-171, rendered against said Defendant (said Defendant might be entitled to under the law and asked the Court to pass sentence at this time); and thereupon the said Defendant, his attorney also present in Court, were asked by the Court whether they or either of them had anything to say why said sentence should not be pronounced answered nothing in bar thereof, whereupon the Court proceeded in the presence of said Defendant, to pronounce sentence against said Defendant as follows:

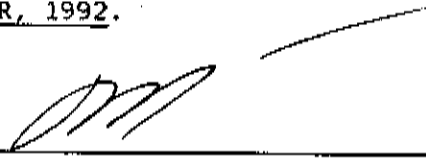
Whereas, the Defendant has been adjudged to be guilty of capital murder by the jury and the jury having further answered that the conduct of the Defendant that caused the death of the deceased was committed deliberately and with reasonable expectation that the death of the deceased or another would result, and that there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society; and the jury further found that there were no mitigating circumstances sufficient to warrant a life rather than a death sentence; and the law providing that on such jury findings the Court shall sentence the Defendant to death.

It is, therefore, the ORDER of the Court that the Defendant is sentenced to death; but the law further providing for an automatic appeal to the Court of Criminal Appeals of the State of Texas, the sentence is suspended until the decision of the Court of Criminal Appeals has been received by this Court.

The Defendant is now remanded to the custody of the Sheriff of El Paso County, Texas, to be transported to the Institutional Division of the Texas Department of Criminal Justice at Huntsville, Texas, there to await the action of the Court of Criminal Appeals and the further orders of this Court.

ENTERED this 30TH day of NOVEMBER, 1992.




Peter S. Peca Jr., Judge Presiding

 Assistant D.A.
Approved as to Form and Content

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